
BODY WORN CAMERAS

450.1 PURPOSE AND SCOPE

The Peoria Police Department has issued officers a body worn camera (BWC) system for use while on-duty. The BWCs are intended to assist officers in the performance of their duties by creating a visual and audio record of certain duty related activities. The policy of the Peoria Police Department is to use the BWC in order to provide documentary evidence that includes, but is not limited to: criminal investigations, civil litigation, and allegations of officer misconduct.

450.2 DEFINITIONS

Definitions related to this policy include:

Mobile Audio/Video Camera System (BWC) - The only approved Body Worn Camera System authorized by the Peoria Police Department is the Taser Axon Body and Axon Body 2. The Body Worn Camera System is an audio/video recording device worn and used by officers to document police related incidents.

Normal (Buffering) Mode - The BWC system continuously loops video recording for up to 30 seconds before a recording is started by the officer. During the 30 seconds before the recording is started by the officer, there is NO audio, it is video only.

Event Mode - The mode which activates the (BWC) system.

(Evidence Transfer Manager) ETM - The docking station that uploads data and recharges the ATC.

450.3 DEPARTMENT PERSONNEL RESPONSIBILITIES

Only officers who have been trained on the BWC system shall operate it. The BWC system includes a camera, battery pack, controller, and a power cord.

In an effort to ensure that recordings, files, and information are not confused with other officers' recordings, all BWCs will be assigned to individual officers and will not be shared. Officers assigned a BWC system will inspect the equipment for any damage and ensure the device is in working order at the beginning of their shift. Assigned personnel are responsible for the proper care of the BWC system assigned to them. Any visible damage or concerns about the functionality of the equipment will be reported to the employee's immediate supervisor. The employee's supervisor will make the determination if the equipment should be taken out of service. An email should be sent to the department's equipment coordinator, explaining the issue.

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The determination will be made if the BWC should be repaired or replaced, and what the officer should do in the meantime.

Officers assigned a BWC system will ensure they are wearing an authorized uniform, clearly identifying them as a Peoria Police Officer.

All BWC recordings shall be downloaded and tagged prior to the end of the officer's shift.

All downloads of recordings will be done in accordance with manufacturer specifications and department training. BWC recorded data will be considered impounded at this point and the BWC system will be cleared of existing data. Officers shall not modify, alter, erase, or tamper with BWC system recordings. All files, data and images recorded by the Department are the exclusive property of the Department. Accessing, copying, posting, or releasing any recordings for other than official law enforcement purposes is prohibited and subject to corrective action.

Any BWC recorded incident shall be documented within the narrative of an incident report, Field Interview, or notes on a traffic citation, if that is the sole documentation. BWC system recordings are intended to supplement department incident reports. Submitted reports are still required to capture the totality of the circumstances surrounding an event.

Reports of incidents including the use of a body worn camera will include "Case Highlights" as outlined on the department network drive under each disposition.

An officer's immediate supervisor will randomly inspect assigned BWC systems, and as part of their monthly inspections, to ensure the systems are functioning properly. Their findings shall be documented in Blue Team.

450.4 ACTIVATION OF BODY WORN CAMERA

An officer assigned a BWC will activate the system, as soon as practical given the circumstances, for all interactions with the public or any law enforcement efforts that may result in the recovery of evidentiary material. Examples of these contacts include, but are not limited to:

- Vehicle stops
- Pedestrian stops
- Consensual encounters that are investigative in nature
- Any self-initiated activity which could result in Title 13 or 28 charges
- Radio calls for service
- On-view events requiring enforcement activity
- Transportation of any prisoner(s) or citizen(s)
- Suspect and witness statements and interviews
- Vehicle and foot pursuits
- Emergency vehicle response

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- Any encounter with the public that becomes adversarial after the initial contact
- Anytime an officer feels it is appropriate to record

The BWC device shall be activated as soon as practical, given the circumstances. At no time should an officer jeopardize his/her safety in order to activate the BWC. It is expected that officers will use discretion when activating and deactivating the BWC. If a BWC is not activated in a situation where it should have been, the officer will document within the narrative of an incident report, Field Interview, or notes on a traffic citation the reason(s) why. For example, camera malfunctioned, conditions made it unsafe to activate camera, or chose not to because ...

Once activated, the BWC should remain on and not be turned off until the initial incident that caused the activation has concluded, unless a second incident requiring recording occurs prior to the conclusion of the initial incident. If an officer turns off the recording of an incident, during the incident, the officer shall document why the break occurred within the incident report, for example: investigative techniques discussed.

The Axon Body 2 camera system allows the officer to mute the audio while the camera is activated. This will allow an officer to mute audio while discussing investigative techniques. It is expected that officers issued the Axon Body 2 camera keep the camera activated until the incident that caused the activation has concluded. Should the mute function be utilized, the officer should document this in their written report.

The BWC can be deactivated with supervisor approval in situations where multiple cameras are on scene and the officer is not directly dealing with individuals related to the call. (Example: officers on a perimeter or in a crime scene security role do not need to have their camera activated).

It is recognized that officers are often required to make split second decisions and initiating a recording using the BWC can and may capture things that were not seen or known by the officer at the time.

Additional arriving units to a scene that are equipped with a BWC will begin recording as soon as practical upon arrival or contact.

450.5 RECORDING RESTRICTIONS

Officers should inform subjects when they are being recorded, unless doing so would be unsafe, impractical, or impossible. The mere knowledge that one is being recorded has been found to help promote civility during police encounters with the public.

Arizona is a single party consent state when it comes to recording. Regardless, when interviewing victims of crime, the victim should still be informed and asked for their consent when video recording, in order to help balance any privacy concerns. If the victim denies consent, the officer should consider the need to video record the interview. If the decision is made to turn off the BWC, the officer will document the reasons why in the report.

The BWC will not be activated to record conversations of fellow employees with or without their knowledge during routine, non-enforcement related activities. Department members shall not

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surreptitiously record other department personnel unless lawfully authorized by the chief of police or an authorized designee.

As soon as practical, officers will advise other department members and/or other criminal justice personnel when a BWC is recording.

The BWC will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.

In some situations involving juveniles, victims of sex crimes, and other incidents of a sensitive nature, officers shall use discretion in the activation of the BWC. Officers may choose not to utilize the BWC in certain situations like a citizen wanting to give anonymous crime information, or when an officer encounters a reluctant witness. Officers will document the reason the BWC was not activated.

Officers shall not intentionally record confidential informants or undercover officers.

The BWC can be used in an off-duty capacity, but only by the officer it is assigned to. The assigned officer is responsible for picking up the BWC at the station prior to their off-duty

assignment, as well as docking it and tagging any video in www.evidence.com at the end of their assignment. Utilizing the BWC during an off-duty event is optional, and no part of picking up, docking, or downloading the BWC shall be considered duty-time.

BWC recordings will be used for official departmental purposes only.

450.6 ADMINISTRATION, REDACTION, RETENTION AND STORAGE

To help ensure accountability and the integrity of the BWC program, the Business Systems Analyst supervisor will be designated as the program administrator. The program administrator will be responsible for compiling requests from department personnel, the city court, and the Maricopa County Attorney's Office, and distributing as appropriate.

Department personnel requesting a video recording be deleted will submit an email explaining why, through the chain-of-command, to their commander or designee. The commander or designee will review the video and make a determination and forward the email with their comments to the program administrator to complete the request through www.evidence.com. The emails will be retained by the program administrator.

All BWC recordings shall be retained and stored in www.evidence.com.

At the end of each shift officers shall place the Axon Tactical Computer (ATC) into the docking station, called an Evidence Transfer Manager (ETM), to transfer the data into www.evidence.com. If for some reason the officer assigned the BWC is unable to personally dock the ATC, it shall be the responsibility of a sworn supervisor to ensure the ATC is docked and the data is transferred.

BWC system recordings that are evidence shall be retained for a period consistent with the requirements of the department's evidence and records retention schedule. BWC system

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recordings may be retained for longer periods in the event the video is the subject of a litigation hold, a criminal case, part of discovery, etc.

450.7 SUPERVISOR REVIEW OF BWC VIDEO

Supervisors shall review BWC footage that exists in the following cases:

- Injury to Prisoner
- Use of Force
- Injury to officer(s)
- Vehicle Pursuits
- 906, 998, 999 situations
- Citizen Complaints

Selected precinct lieutenants will randomly inspect six videos each calendar month, and will record their findings in Blue Team. Recordings are pulled by the assigned number, so the name of an officer will not be known to the reviewing lieutenant until the video is reviewed. The purpose of the review is to help ensure compliance with policy, maintain checks and balances, and ensure transparency.

The department will also conduct random compliance audits. These audits will ensure officers are activating their assigned BWC as described within this policy.

450.8 REVIEW OF BWC VIDEO

BWC system recordings may be reviewed in any of the following situations:

- To assist with the investigation and completion of reports by the officer who originally recorded the incident
- For use by an officer prior to making any statements after an officer involved shooting incident. (In this case, the video reviewed by the officer should only be from the vantage point of the involved officer. This eliminates the possibility of the officer viewing footage from an angle he/she could not have seen.)
- Patrol Training Officers and the PTO coordinator may view BWC videos while performing official duties, in order to help evaluate and train the officer trainee.
- For preparation of statements in an Internal Affairs investigation. (In this case, the video reviewed by the officer should only be from the vantage point of the involved officer. This eliminates the possibility of the officer viewing footage from an angle he/she could not have seen.)
- By a supervisor investigating a specific act of officer conduct
- By an agency investigator who is participating in an official investigation, personnel complaint, administrative inquiry, or a criminal investigation

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- For training purposes upon authorization of the Chief of Police or an authorized designee
- Pursuant to lawful process or by court personnel who are authorized to review evidence in a related case

Any BWC system recording remains the property of the Peoria Police Department. BWC recordings may only be released as provided in the Records Release and Security Policy or for other authorized legitimate department business purposes.